

FORTY-SECOND DAY

(Continued)

(Friday, April 3, 1959)

After Recess

The Senate met at 10:30 o'clock a.m. and was called to order by the President.

Leaves of Absence

Senator Ratliff was granted leave of absence for today on account of important business on motion of Senator Aikin.

Senator Owen was granted leave of absence for today on account of important business on motion of Senator Rogers.

Senator Roberts was granted leave of absence for today on account of important business on motion of Senator Martin.

**Motion to Place
Senate Bill 65 on Second Reading**

Senator Dies asked unanimous consent to suspend the regular order of business and take up S. B. No. 65 for consideration at this time.

There was objection.

Senator Dies then moved to suspend the regular order of business and take up S. B. No. 65 for consideration at this time.

The motion was lost by the following vote (Not receiving two-thirds vote of the Members present):

Yeas—14

Bradshaw	Kazen
Colson	Krueger
Crump	Reagan
Dies	Secrest
Hardeman	Smith
Hazlewood	Willis
Herring	Wood

Nays—8

Aikin	Martin
Baker	Moffett
Fly	Parkhouse
Lane	Phillips

Present—Not Voting

Rogers

Absent

Fuller	Hudson
Gonzalez	Moore

Absent—Excused

Owen	Roberts
Ratliff	Weinert

Senate Bill 122 on Second Reading

The President laid before the Senate as Unfinished Business S. B. No. 122 on its second reading with an amendment by Senator Herring pending. (The bill having been read the second time on Tuesday, March 31, 1959.)

Question—Shall the amendment by Senator Herring to the Committee Amendment to S. B. No. 122 be adopted?

(Pending discussion by Senator Herring of the amendment, the President Pro Tempore occupied the Chair.)

(President in the Chair.)

Senator Krueger moved to table the amendment by Senator Herring to the Committee Amendment.

Yeas and Nays were demanded.

The motion to table was lost by the following vote:

Yeas—12

Aikin	Krueger
Baker	Moffett
Colson	Parkhouse
Fly	Reagan
Hardeman	Smith
Hazlewood	Wood

Nays—13

Bradshaw	Martin
Crump	Moore
Dies	Phillips
Gonzalez	Rogers
Herring	Secrest
Kazen	Willis
Lane	

Absent

Fuller	Hudson
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Absent—Excused

Owen	Roberts
Ratliff	Weinert

Question recurring on adoption of the amendment by Senator Herring

to the Committee Amendment. Yeas and Nays were demanded.

The amendment failed of adoption by the following vote:

Yeas—12

Bradshaw	Martin
Crump	Moore
Dies	Rogers
Gonzalez	Secrest
Herring	Willis
Kazen	Wood

Nays—13

Aikin	Lane
Baker	Moffett
Colson	Parkhouse
Fly	Phillips
Hardeman	Reagan
Hazlewood	Smith
Krueger	

Absent

Fuller	Hudson
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Absent—Excused

Owen	Roberts
Ratliff	Weinert

Senator Gonzalez offered the following amendment to the Committee Amendment:

Amend S. B. No. 122, By adding a section to be called Section 5A:

Whenever the number of unemployed persons in Texas exceeds 5% of the total State labor force it is declared that a state of emergency exists regarding unemployment and unemployment compensation benefits shall be provided in the following manner:

(a) Each unemployed individual shall be eligible to receive a maximum of \$32 per week for every week he remains unemployed.

(b) Each unemployed individual shall be eligible to receive payment of unemployment compensation benefits for a maximum of 32 weeks.

The amendment was read.

Senator Krueger raised the point of order that the amendment was not germane to the bill under consideration.

The President sustained the point of order stating that the amendment sought to amend a portion of the law

which S. B. No. 122 did not seek to amend.

Senator Herring offered the following amendment to the Committee Amendment:

Amend Committee Amendment No. 1 to Senate Bill No. 122 by striking out Section 4.

The amendment was read.

Question on adoption of the amendment, Yeas and Nays were demanded.

The amendment failed of adoption by the following vote:

Yeas—8

Gonzalez	Phillips
Herring	Rogers
Kazen	Secrest
Moore	Willis

Nays—16

Aikin	Hazlewood
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Parkhouse
Fly	Reagan
Hardeman	Smith

Absent

Fuller	Wood
Hudson	

Absent—Excused

Owen	Roberts
Ratliff	Weinert

Senator Baker offered the following amendment to the Committee Amendment:

Amend Amendment No. 1 to S. B. No. 122, Sec. 3, Sub Sec. b-2, By changing the word and figures thirty-three dollars to read thirty-five dollars.

The amendment was adopted.

Senator Hardeman offered the following amendment to the Committee Amendment:

Amend Senate Committee Amendment No. 1 to Senate Bill 122, Section 4, by adding a new sub-section to be known as (h) to read as follows:

Section 5. That Section 5 of the

Texas Unemployment Compensation Act, as amended, Chapter 482, Acts of the 44th Legislature, Third Called Session, 1936, as amended, be amended by adding a new subsection (h) to read as follows:

"Disqualification for benefits

Section 5. An individual shall be disqualified for benefits:

"(h) For the duration of any period of unemployment with respect to which the Commission finds that such individual has left his most recent full time employment which lasted as much as two consecutive calendar weeks, for the purpose of attending an established educational institution."

The amendment was adopted.

Senator Baker offered the following amendment to the Committee Amendment:

Amend Amendment No. 1 to Senate Bill 122, Section 5, Sub-section 7(c) (2) (A) by changing the words and figures Three Thousand One Hundred and Sixty-Eight Dollars (\$3,168.00) to read Three Thousand Six Hundred and Forty Dollars (\$3,640.00).

The amendment was adopted.

The Committee Amendment as amended was then adopted.

Record of Votes

Senators Willis, Gonzalez and Herring asked to be recorded as voting "Nay" on the adoption of the Committee Amendment as amended.

On motion of Senator Krueger and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Vote

Senator Willis asked to be recorded as voting "Nay" on the passage of S. B. No. 122 to engrossment.

Senate Bill 122 on Third Reading

Senator Krueger moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B.

No. 122 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Krueger
Baker	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Moore
Dies	Parkhouse
Fly	Phillips
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith

Nays—2

Gonzalez	Willis
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Absent

Fuller	Wood
Hudson	

Absent—Excused

Owen	Roberts
Ratliff	Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

Record of Vote

Senator Willis asked to be recorded as voting "Nay" on the final passage of S. B. No. 122.

Senate Resolution 282

Senator Phillips by unanimous consent offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Social Studies Department of Goliad Junior High School of Galveston, accompanied by their teacher, R. F. Sterling, Principal; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recog-

nize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Phillips by unanimous consent presented the students and Mr. Sterling to the Members of the Senate.

Senate Resolution 283

Senator Hardeman by unanimous consent offered the following resolution:

Whereas, The Annual Convention of the Texas Association of Broadcasters will be held in Austin on April 12 and 13, 1959; and

Whereas, This group has been interested in disseminating information by radio and television for the entertainment and education of the listening and viewing public; and

Whereas, This Association is desirous of continuing to render service to the public; now, therefore, be it

Resolved, That the Senate of Texas extend its congratulations to this Association and extend them an official welcome to the City of Austin and the Capitol Building, and that a copy of this resolution be sent to Texas Association of Broadcasters Headquarters, Austin, Texas, and to Mr. Al Johnson, President, Texas Association of Broadcasters, San Antonio, Texas.

The resolution was read and was adopted.

Senate Resolution 284

Senator Baker by unanimous consent offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Fifth Grade of Pine Shadows Elementary School from Houston, Harris County, Texas, accompanied by their teachers, Duane Dunaway, Mrs. Willette Foster, Mrs. Fay Porter and Mrs. Jean Barrow; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe

and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorse, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Baker by unanimous consent presented the students and teachers to the Members of the Senate.

Senate Resolution 285

Senator Moore by unanimous consent offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the 7th and 8th Grade Class, Butterfield School of Abilene, accompanied by their teacher, Mr. Bob Thompson; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

RATLIFF
MOORE

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students and Mr. Thompson to the Members of the Senate.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 3, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 22, A bill to be entitled "An Act to amend Section 2 of Section 49, of House Bill No. 407, Chapter 4, Acts of the Forty-sixth Legislature, Regular Session, 1939, and to amend Section 1 thereof, as amended by Section 1 of House Bill No. 205, Chapter 187, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by Section 1, Chapter 105, Acts of the Fiftieth Legislature, Regular Session, 1947, providing for the inclusion of 'Trailers' and 'Semi-trailers' having a gross weight in excess of Four Thousand (4,000) Pounds; adding two (2) new sections to be known as Section 2b, defining the term 'Trailer' and Section 2c defining the term 'Semi-trailer'; to amend Section 49, of House Bill 407, Chapter 4, Acts of the Forty-sixth Legislature, Regular Session, 1939, and to amend Section 49(e), House Bill 286, Chapter 105, Acts of the Fiftieth Legislature, Regular Session, 1947, authorizing the State Highway Department of the State of Texas to assign serial numbers for trailers and semi-trailers having a gross weight in excess of Four Thousand (4,000) Pounds; providing a saving clause; providing a repealing clause; and declaring an emergency."

(With amendments.)

S. B. No. 89, A bill to be entitled "An Act authorizing consolidated independent school districts whose names are unduly long to omit the word 'consolidated' from their names; and declaring an emergency."

(With amendment.)

S. B. No. 256, A bill to be entitled "An Act authorizing the Commissioners Court of Newton, Sabine, Jasper and San Augustine Counties, Texas, to pay the District Judge of the 1st Judicial District compensation in addition to the compensation paid by the State of Texas; making other provisions relating thereto; providing for a severability clause; and declaring an emergency."

S. B. No. 209, A bill to be entitled "An Act relating to manufacture and sale of bedding; amending Section 2 and Section 5 of Senate Bill No. 200, General Laws of the Forty-sixth Legislature, Regular Session, page 376, as amended, which pertain to the labeling of bedding and registration for selling bedding and enforcement provisions; repealing all laws in conflict

with the Act; providing a saving clause; and declaring an emergency."

S. B. No. 314, A bill to be entitled "An Act to amend subsections (b) and (c) of Section 3, of Article II of the Texas Liquor Control Act (also identified as subparagraphs (b) and (c) of Article 667-3, Vernon's Annotated Penal Code of Texas; and declaring an emergency."

H. C. R. No. 15, Granting permission to Mr. J. T. Krull to bring suit against the State of Texas.

H. C. R. No. 30, Memorializing Congress.

H. C. R. No. 40, Granting the City of Liberty, Texas, permission to sue the State.

H. C. R. No. 48, Requesting the Executive and Legislative Departments of the Federal Government to issue the necessary administrative ruling or to pass the necessary legislation making poultry, egg, hog and milk producers eligible for loans from the Small Business Administration.

H. C. R. No. 66, Memorializing the Congress of the United States to enact appropriate legislation according to states and local public agencies the permanent right to utilize storage space at Government Reservoirs when such storage space has been constructed virtually at the expense of such states or local public agencies, and requesting our Texas Delegation to introduce and support such legislation.

H. C. R. No. 77, Commending the trustees of the M. D. Anderson Foundation for their unselfish contribution to Texas State Government.

H. C. R. No. 79, Commending the University of Texas Law School on their participation in Annual Law Day.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Resolution 286

Senator Phillips by unanimous consent offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate students of the Damen Jr. High School accompanied by their teachers and parents; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Phillips by unanimous consent presented the students, teachers and parents to the Members of the Senate.

Senate Bill 119 on Second Reading

On motion of Senator Hazlewood and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 119, A bill to be entitled "An Act to amend Article 2757, Revised Civil Statutes of Texas, of 1925, as amended, lowering the population necessary to incorporate common school districts; and declaring an emergency."

The bill was read the second time.

Senator Hazlewood offered the following amendment to the bill:

Amend Senate Bill No. 119 by adding a new section thereto to be known as "Section 1a" immediately following the end of Section 1, which shall read as follows:

"Section 1a. It is the purpose and intention of this Act to lower the population brackets of certain sparsely populated common school districts, and it is not the intention of this Act nor shall this Act be construed so as to permit any common school district, coming under the terms hereof, to decrease its area limits, or in any wise to permit a segment or portion of any such school district now existing to detach itself from any part of the presently existing area of such district taking advantage of the terms of this Act."

The amendment was adopted.

Senator Hazlewood offered the following amendment to the bill:

Amend Senate Bill No. 119, the printed copy thereof, on Line 21 after the word "more" and before the word "may" by adding the following:

" , containing an area of not less than eighty-three (83) square miles, and having an assessed property valuation of Three Million Dollars (\$3,000,000.00) or more"

The amendment was adopted.

On motion of Senator Hazlewood and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Record of Vote

Senator Reagan asked to be recorded as voting "Nay" on the passage of S. B. No. 119 to engrossment.

Senate Bill 119 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 119 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Krueger
Baker	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Moore
Dies	Parkhouse
Fly	Phillips
Gonzalez	Rogers
Hardeman	Secrest
Hazlewood	Smith
Herring	Willis
Kazen	

Nays—1

Reagan

Absent

Fuller	Wood
Hudson	

Absent—Excused

Owen	Roberts
Ratliff	Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

Record of Votes

Senators Rogers, Kazen, Krueger and Reagan asked to be recorded as voting "Nay" on the final passage of S. B. No. 119.

Senate Bill 334 on Second Reading

On motion of Senator Willis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 334, A bill to be entitled "An Act amending Section 5 of Chapter 427, Page 1138, Acts, 54th Legislature, 1955, Regular Session (codified as Section 5 of Article 3883i, Vernon's Texas Civil Statutes) so as to increase salaries of the Judge of the County Court at Law of Tarrant County, Texas, and the Judge of the County Criminal Court of Tarrant County, Texas, and the Criminal District Attorney of Tarrant County, Texas; and declaring an emergency."

The bill was read second time and passed to engrossment.

Record of Votes

Senators Fly and Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 334 to engrossment.

Senate Bill 334 on Third Reading

Senator Willis moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 334 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Baker
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Bradshaw	Martin
Colson	Moffett
Crump	Moore
Dies	Parkhouse
Fly	Phillips
Gonzalez	Reagan
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Willis

Nays—1

Hardeman

Absent

Fuller	Lane
Hudson	Wood

Absent—Excused

Owen	Roberts
Ratliff	Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—17

Aikin	Martin
Baker	Moffett
Colson	Moore
Crump	Parkhouse
Dies	Phillips
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Willis
Kazen	

Nays—6

Bradshaw	Krueger
Fly	Reagan
Hardeman	Smith

Absent

Fuller	Lane
Hudson	Wood

Absent—Excused

Owen	Roberts
Ratliff	Weinert

Senate Bill 203 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 203, A bill to be entitled "An Act relating to branch banking and limitations on connected office facilities; amending Article 3, Chapter IX of Chapter 97, Acts, 48th Legislature, 1943, which amended and replaced Revised Civil Statutes of Texas, 1925, Article 538 (and which is compiled as Texas Civil Statutes, Articles 342-903) (Vernon's 1948), as amended by Section 1, Chapter 220, Acts, 55th Legislature, 1957 (codified as Articles 342-903, Vernon's Texas Civil Statutes); providing a severability clause; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 203 on Third Reading

Senator Martin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 203 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Aikin	Krueger
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Parkhouse
Dies	Phillips
Fly	Reagan
Gonzalez	Rogers
Hardeman	Secrest
Hazlewood	Smith
Herring	Willis
Kazen	

Absent

Fuller	Lane
Hudson	Wood

Absent—Excused

Owen	Roberts
Ratliff	Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Baker
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Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Parkhouse
Gonzalez	Phillips
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Willis

Absent

Fuller	Wood
Hudson	

Absent—Excused

Owen	Roberts
Ratliff	Weinert

Senate Bill 154 with House Amendments

Senator Fly called S. B. No. 154 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Fly moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—24

Aikin	Krueger
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Parkhouse
Dies	Phillips
Fly	Reagan
Gonzalez	Rogers
Hardeman	Secrest
Hazlewood	Smith
Herring	Willis
Kazen	Wood

Absent

Fuller	Lane
Hudson	

Absent—Excused

Owen	Roberts
Ratliff	Weinert

Motion to Place

Senate Bill 84 on Second Reading

Senator Baker asked unanimous

consent to suspend the regular order of business and take up S. B. No. 84 for consideration at this time.

There was objection.

Senator Baker then moved to suspend the regular order of business and take up S. B. No. 84 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—13

Baker	Moffett
Bradshaw	Moore
Colson	Parkhouse
Crump	Reagan
Fly	Secrest
Hardeman	Wood
Krueger	

Nays—12

Aikin	Lane
Dies	Martin
Gonzalez	Phillips
Hazlewood	Rogers
Herring	Smith
Kazen	Willis

Absent

Fuller	Hudson
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Absent—Excused

Owen	Roberts
Ratliff	Weinert

Senate Resolution 287

Senator Moffett by unanimous consent offered the following resolution:

Whereas, We are honored today to have as visitors the Spanish classes of the Zundelowitz Junior High School and the Barwise Junior High School of Wichita Falls, Texas, and their teachers, Mrs. Inez Thurman and Miss Mary Nell Haynes; and

Whereas, We desire to commend these students and their teachers for their interest in our State Government; and

Whereas, We desire to welcome these visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas

and they be extended an official welcome.

The resolution was read and was adopted.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 3, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 167, A bill to be entitled "An Act authorizing the holding of joint elections for members of the county board of school trustees and governing bodies of school districts and college districts; providing procedures for such joint elections; and declaring an emergency."

H. B. No. 443, A bill to be entitled "An Act regulating the taking or killing of squirrel in Lamar County, amending Section 2, Chapter 187, Acts of the 55th Legislature, Regular Session, 1957; and declaring an emergency."

H. B. No. 633, A bill to be entitled "An Act relating to the hunting, taking, or killing of deer and wild turkey in Throckmorton County; providing penalties; and declaring an emergency."

H. B. No. 681, A bill to be entitled "An Act making it unlawful to take, hunt, kill, or attempt to kill wild deer or wild turkey in Shackelford County for a period of five (5) years from and after the effective date of this Act; providing a penalty therefor; and declaring an emergency."

H. B. No. 718, A bill to be entitled "An Act creating a Court of Domestic Relations for Gregg County, Texas; fixing its jurisdiction; conforming the jurisdiction of other Courts thereto; fixing its terms; providing the manner of selection, tenure and compensation of the Judge of said Court; providing the manner of and grounds for the removal of the Judge of said Court; providing for the selection and compensation of a special Judge; providing for the appointment of a Court Reporter and such other officers and investigators

as might be necessary and providing for their compensation; providing for appeals to higher courts; providing for the procedure of said Court; providing for the services of certain county and district offices to said Court; containing a saving clause and declaring an emergency."

H. B. No. 188, A bill to be entitled "An Act providing for the maintenance, care and education of persons under the age of eighteen (18) years who are totally deaf and blind or totally blind and non-speaking; repealing Chapter 122, Acts of the 54th Legislature, 1955; and declaring an emergency."

H. B. No. 584, A bill to be entitled "An Act repealing Section 3A, Chapter 44, Page 64, Acts 49th Legislature, Regular Session, 1945, concerning sale of sand and gravel by the City of Austin; and declaring an emergency."

H. B. No. 634, A bill to be entitled "An Act relating to the sale of thallium compounds; amending Section 1, Chapter 457, Acts of the 55th Legislature, Regular Session, 1957, to require the keeping of certain records including the signatures of purchasers of thallium compounds containing less than one per cent (1%) of thallium sulphate; and declaring an emergency."

H. B. No. 721, A bill to be entitled "An Act making it unlawful to hunt, take or kill wild turkey in Austin and Colorado Counties for a period of two(2) years; providing penalties; and declaring an emergency."

H. B. No. 730, A bill to be entitled "An Act amending Subsection (b) of Section 42 of Article I of the Texas Liquor Control Act, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended, providing for delivery of illicit alcoholic beverages to the State; providing for the disposal thereof by the State; and declaring an emergency."

H. B. No. 242, A bill to be entitled "An Act providing for the use of photographic, photostatic, microfilm or other accurately reproduced copies of original writing or written instruments in any judicial or administrative proceeding or trial where the original is produced at the time it is offered in evidence or is accounted

for where there is no bona-fide dispute as to the copy's accuracy."

H. B. No. 595, A bill to be entitled "An Act defining eminent domain powers of Bell County Water Control and Improvement District No. 5; and declaring an emergency."

H. B. No. 661, A bill to be entitled "An Act amending Section 4 of Article 923m, Revised Penal Code of Texas, 1925, as amended, to permit the hunting of mink with dogs in the Counties of Hopkins, Delta, Franklin, and Camp; and declaring an emergency."

H. B. No. 729, A bill to be entitled "An Act amending portions of the Texas Liquor Control Act; amending Sub-section (7) of Section 3-a of Article II of the Texas Liquor Control Act, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended, to more clearly define the term "Premise"; and declaring an emergency."

H. B. No. 532, A bill to be entitled "An Act permitting Lamar County, through a county-wide election, to constitute itself a hospital district for the care of the county's indigent and needy; authorizing the Commissioners Court to levy a tax for the district for maintenance and operation of the county hospital system and for retirement of bonded indebtedness; requiring the assumption by the district of bonded indebtedness against the hospital system; authorizing the district to issue and sell bonds for capital expenditures, maintenance and operation of such system; requiring levy of a tax to meet bond maturities; requiring approval of such bonds at an election; requiring the Commissioners Court to transfer hospital property to the district; providing for appointment by the Commissioners Court of a Board of Managers to administer the hospital system stating their tenure of office, method of removal and defining powers of such Board; providing the manner of disbursement of district funds; prohibiting levy by said county or any city therein of any hospital tax not authorized herein and imposing on said district full responsibility for medical and hospital care of the indigent and needy; providing the effective date hereof; and declaring an emergency."

S. C. R. No. 45, In memory of Mr. Boude Storey, Sr.

H. B. No. 53, a bill to be entitled "An Act implementing the provisions of Section 49a of Article III of the Constitution of Texas; stating the information the Comptroller is required to furnish the Legislature; providing the procedures for arriving at the financial condition of the State in making certifications required in Section 49a of Article III of the Constitution of Texas; and making other provisions relating thereto; and declaring an emergency."

The House refused to concur in Senate amendments to House Bill No. 31 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

House has appointed the following Conference Committee on H. B. No. 31: McIlhany, Glusing, Heatly, Springer, Wilson of Potter.

S. C. R. No. 41, A resolution memorializing the Congress of the United States to enact legislation that will increase the retirement benefits of the retired personnel who retired prior to June 1, 1958.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 89 with House Amendments

Senator Reagan called S. B. No. 89 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Reagan moved that the concur in the House amendments.

The motion prevailed by the following vote:

Yeas—25

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Parkhouse
Gonzalez	Phillips
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest

Smith
Willis

Wood

Absent

Fuller

Hudson

Absent—Excused

Owen
Ratliff

Roberts
Weinert

Senate Concurrent Resolution 31 on Second Reading

Senator Herring asked unanimous consent to suspend the regular order of business and take up S. C. R. No. 31 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up S. C. R. No. 31 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Aikin	Lane
Baker	Martin
Colson	Moffett
Crump	Moore
Dies	Parkhouse
Fly	Phillips
Gonzalez	Reagan
Hardeman	Secrest
Hazlewood	Smith
Herring	Willis
Kazen	Wood
Krueger	

Nays—2

Bradshaw Rogers

Absent

Fuller

Hudson

Absent—Excused

Owen
Ratliff

Roberts
Weinert

The President laid before the Senate on its second reading:

S. C. R. No. 31, Directing Governor to execute lease of certain land to City of Austin.

The resolution was read.

Senator Herring offered the following amendment to the resolution:

Amend S. C. R. No. 31 at line 25 by deleting the word "directed" and

inserting in lieu thereof the word "authorized."

The amendment was adopted.

The resolution as amended was then adopted.

Messages from the Governor

The following messages received from the Governor were read and were referred to the Committee on Nominations:

Austin, Texas,
April 3, 1959.

To the Senate of the Fifty-Sixth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Branch Pilots for the Port of Galveston and Texas City: For two-year terms to expire April 1, 1961: Alfred F. Schurig of Galveston, Galveston County; Ereal H. Goodwin of Galveston, Galveston County; Harry L. Coker, Jr. of Galveston, Galveston County. For a two-year term to expire April 15, 1961: Ernest E. Lance of Galveston, Galveston County.

Respectfully submitted,

Price Daniel
Governor of Texas

Austin, Texas,
April 3, 1959.

To the Senate of the Fifty-sixth Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Judge of the District Court of the Second Thirty-eighth Judicial District, to fill the unexpired term of Judge Jim W. Weatherby, resigned: Marvin E. Blackburn, Jr., of Junction, Kimble County.

To be District Attorney of the Second Thirty-eighth Judicial District, to fill the unexpired term of Marvin E. Blackburn, Jr.: Joseph F. Leonard, Jr., of Kerrville, Kerr County.

Respectfully submitted,

PRICE DANIEL,
Governor of Texas.

Committee to Escort the Honorable Lyndon Johnson to Joint Session

The President announced the appointment of the following pursuant to the provisions of S. C. R. No. 43 as a committee to escort the Honorable Lyndon Johnson, Senior Senator from Texas, to the Joint Session on Monday, April 6, 1959: Senators Weinert, Lane, Herring, Roberts and Krueger.

Special Notices Given

The President announced that Senators Martin, Willis and Moffett gave Special Notice that they would move to suspend the necessary rules to take up for consideration S. B. Nos. 10, 2 and 6 on Monday, April 6, 1959.

Reports of Standing Committees

Senator Krueger by unanimous consent submitted the following report:

Austin, Texas.
April 3, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 47, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Senator Hazlewood by unanimous consent submitted the following report:

Austin, Texas.
April 3, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 186, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Adjournment

On motion of Senator Hardeman the Senate at 12:13 o'clock p.m. adjourned until 10:30 o'clock a.m. on Monday, April 6, 1959.

Record of Votes

Senators Colson and Krueger asked to be recorded as voting "Nay" on the motion to adjourn.

FORTY-THIRD DAY

(Monday, April 6, 1959)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present.

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Weinert
Kazen	Willis
Krueger	Wood

Absent—Excused

Hardeman	Smith
Phillips	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, teach us to so number our days, as to apply our hearts unto wisdom. Night comes on when no man can work. Lighten our work today by the shining of Thy presence, and may the evening time be bright with the radiance of the endless day. We pray in the name of the Risen Christ. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Friday, April 3, 1959, was dispensed with and the Journal was approved.

Leaves of Absence

Senator Hardeman was granted leave of absence for today on account of important business on motion of Senator Martin.

Senator Smith was granted leave of

absence for today on account of important business on motion of Senator Rogers.

Senator Phillips was granted leave of absence for today on account of important business on motion of Senator Baker.

Senate Resolution 288

Senator Parkhouse offered the following resolution:

Whereas, We are honored today to have in the gallery the A Cappella Chorus of Garland High School accompanied by Mr. James Jackson, Choral Music Director; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and request them to sing the National Anthem, and commend them for their interest, and that a copy of this resolution, properly indorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Parkhouse by unanimous consent presented the Chorus and Mr Jackson to the Members of the Senate.

The Chorus then rendered the National Anthem.

Senate Resolution 289

Senator Krueger offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Mrs. Florence Bosl of Schulenburg; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That her presence be recognized by the Senate of Texas and that she be extended the official welcome of the Senate and be extended the privileges of the floor today.